THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.24955 of 2006

04.12.2006

Between:

Desireddy Padmavathi, W/o.Desireddy Raghava Reddy

... Petitioner

AND

The Mandal Revenue Officer, Gudur Mandal, Nellore District
And another

... Respondents

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.24955 of 2006

ORDER:

The petitioner is resident of house bearing No.1/452/1, constructed on plot No.32 admeasuring 321.12 Sqyards (ground + first floor) situated in survey No.1749/1-A1 of Gudur village and Mandal in Nellore District. She purchased the same under registered sale deed from D.Padmanabha Reddy. The first respondent initiated action under A.P. Land Encroachment Act, 1905 (the Act, for brevity). A notice in RCA No.565/2006, dated 15.11.2006, was issued calling upon the petitioner as to why she should not be evicted from the Government encroachment. The petitioner submitted explanation on 17.11.2006. The Mandal Revenue Officer (MRO), Gudur Mandal – first respondent herein; is yet to pass orders, after considering the explanation submitted by the petitioner. In the meanwhile the petitioner apprehends that she may be evicted from the property without due process of law and, therefore, she filed the present writ petition.

Learned Assistant Government Pleader for Revenue (General-A), after getting instructions, submits that the enquiry is still pending and that order under Section 6 of the Act has to be passed by the MRO. Therefore, the MRO may conduct enquiry and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order. Till such orders are passed under Section 6 of the Act, the petitioner shall not be evicted without due process of law.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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December 04, 2006 (**V.V.S.RAO, J**)

NOTE:

Dispatch order copy by
05.12.2006.
(By order)
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